



# Howard County Government

## CB78-2021

### Primary Information

**Title:** AN ACT adding new definitions to the Forest Conservation ordinance; establishing a “look-back” provision for the disturbance of certain trees; reducing the diameter threshold to 24 inches for forest retention; and generally relating to forest conservation in the County.

**Short Title:** Forest Conservation Act - “Look-back” Provision - Forest Retention.

**Category:** General

**Primary Sponsors:** Liz Walsh

**Secondary Sponsors:**

**Status:** Failed

**Date Signed:**

**Date Enacted:**

**Date Vetoed:** 12/14/2021

**Date Veto Overridden:**



# Howard County Government

## CB78-2021

### Amendments

#### Amendment 1

**Amendment Date:** 11/01/2021

**Legislative Day:** 17

**Comments:** (This Amendment provides for penalties for noncompliance with forest retention requirements.)

### Amendment 1 to Council Bill No. 78-2021

**BY:** Liz Walsh Legislative Day No. 17

**Date:** November 1, 2021

#### Amendment No. 1

*(This Amendment provides for penalties for noncompliance with forest retention requirements.)*

On the title page, in the purpose paragraph, after "retention;" insert "providing for a certain non-compliance penalty;"

On page 5, after line 26, insert:

(e) *Noncompliance penalties.* The County shall assess a noncompliance penalty for each violation of this section, to include a replanting requirement for each specimen tree cut or cleared, and the County shall not accept an application for the residential subdivision of the property for five years.

#### Amendment 2

**Amendment Date:** 12/06/2021

**Legislative Day:** 19

**Comments:** This Amendment strikes the new definitions, the look-back provision, certain elements of on-site retention, a certain presumption, and certain on-site retention priorities



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On the title page, in the purpose paragraph, strike 1 rike "adding new definitions to the Forest Conservation ordinance; establishing a "look-back" provision for disturbance of certain trees;"

On page 1, delete lines 22 through 30 in their entirety.

On page 2, delete lines 13 and 14 in their entirety and in line 15 strike all the square brackets and strike "(3)"

Also on page 2, beginning in line 22, strike from "IF A PROPERTY" down through and including "ON-SITE;" in line 26.

On page 4 in line 16, strike all the square brackets and strike beginning with "OR ARE" down through and including "STRUCTURES" in line 17.

Also on page 4, strike lines 18 through 23 in their entirety and substitute:

"(3) TREES HAVING A DIAMETER MEASURED AT 4.5 FEET ABOVE THE GROUND OF:

(I) 24 INCHES; OR

(II) 75% OF THE DIAMETER, MEASURED AT 4.5 FEET ABOVE THE GROUND OF THE CURRENT STATE CHAMPION TREE OF THAT SPECIES."

Also on page 4, strike lines 24 through 26 in their entirety.

Also on page 4, in line 27, strike all the square brackets and strike "C".

On page 5, in line 5, strike beginning with "THE GREEN" in line 5 down through and including "AREAS" in line 6.

Also on page 5, strike lines 8 and 9 in their entirety.

Also on page 5, in line 10, strike all the square brackets and strike "4".

Also on page 5, in line 11, strike all the square brackets and strike "5".

Also on page 5, in line 12 strike all the square brackets and strike "6".

Also on page 5, in line 14, strike all the square brackets and strike "7".

Also on page 5, in line 16, strike all the square brackets and strike "8".

Also on page 5, in line 17, strike all the square brackets and strike "9".

Also on page 5, in line 19, strike all the square brackets and strike "10".

Also on page 5, in line 20, strike all the square brackets and strike "D".

On page 6, strike lines 1 through 3 in their entirety.

### Motions on Amendment

#### Motion to Approve

**Motion Date:** 12/6/2021

**Final Action:** Passed

**Moved By :** Liz Walsh

**Seconded By :** Deb Jung

Name	District	Vote
Liz Walsh	1	Yes
Opel Jones	2	No
Christiana Rigby	3	Yes
Deb Jung	4	Yes
David Yungmann	5	No



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### Motions/Votes On Legislation

#### Motion to Table

**Motion Date:** 11/1/2021

**Final Action:** Tabled

**Moved By :** Liz Walsh

**Seconded By :** Deb Jung

Name	District	Vote
Liz Walsh	1	Yes
Opel Jones	2	Yes
Deb Jung	4	Yes
David Yungmann	5	Yes
Christiana Rigby	3	Yes

#### Motion to Remove From Table

**Motion Date:** 12/6/2021

**Final Action:** Removed from Table

**Moved By :** Liz Walsh

**Seconded By :** Deb Jung

Name	District	Vote
Liz Walsh	1	Yes
Opel Jones	2	Yes
Deb Jung	4	Yes
David Yungmann	5	No
Christiana Rigby	3	Yes

#### Motion to Approve

**Motion Date:** 12/6/2021

**Final Action:** Passed as Amended

**Moved By :** Liz Walsh

**Seconded By :** Deb Jung

Name	District	Vote
Liz Walsh	1	Yes
Opel Jones	2	Yes
Deb Jung	4	Yes
David Yungmann	5	No
Christiana Rigby	3	Yes



# Howard County Government

## CB78-2021

### Motion to Override Veto

**Motion Date:** 1/4/2022

**Final Action:** Failed to Override Veto

**Moved By :** Liz Walsh

**Seconded By :** Deb Jung

Name	District	Vote
Liz Walsh	1	Yes
Opel Jones	2	No
Deb Jung	4	Yes
David Yungmann	5	No
Christiana Rigby	3	No

### Documents

[CB78-2021](#) - As Introduced

[Auditor's Fiscal Impact](#) - Staff Analysis

[public hearing testimony](#) - Supporting Documents

[Amendment 1](#) - Amendments

[written testimony 10.25](#) - Supporting Documents

[Amendment 2](#) - Amendments

[Veto Letter](#) - Supporting Documents

[CB78-2021public](#) - Supporting Documents

[written testimony 1.1-1.4](#) - Supporting Documents

[written testimony 12.27-12.31](#) - Supporting Documents

[Final Signed Amendment](#) - Amendments



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[CB78-2021](#) - Final (Amended)